

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JOHN D. BROWN,

Plaintiff,

vs.

ILLINOIS DEPARTMENT OF
CORRECTIONS, *et al.*,

Defendants.

Case No. 13-cv-659-JPG-PMF

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff John D. Brown's appeal (Doc. 28) of Magistrate Judge Philip M. Frazier's December 3, 2013 order (Doc. 23) in which Judge Frazier denied Brown's motion for reconsideration of his order denying Brown's motion to appoint counsel.

A district court reviewing a magistrate judge's decision on nondispositive issues should modify or set aside that decision if it is clearly erroneous or contrary to law. See Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1)(A). Accordingly, the Court will affirm Magistrate Judge Frazier's decision unless his factual findings are clearly erroneous or his legal conclusions are contrary to law.

Id.

The Court has reviewed Magistrate Judge Frazier's December 3, 2013 order and fails to find that his factual findings were clearly erroneous or that his legal conclusions were contrary to law. Accordingly, the Court **DENIES** Brown's appeal (Doc. 28) and **AFFIRMS** Magistrate Judge Frazier's order (Doc. 23).

IT IS SO ORDERED.

DATED: February 25, 2014

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE